



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Michael R. Pence
Governor

Thomas W. Easterly
Commissioner

VIA ELECTRONIC MAIL

September 12, 2014

Mr. Robert Childress Jr.
Sun Energy Group, LLC
2701 W. County Road 1100 S.
Huntingburg, Indiana 47542

Dear Mr. Childress:

Re: Modification Request for
NPDES General Permit No. ING040250
IDNR #S-0367
Sun Energy Group LLC Hilsmeier #2 Mine
2701 W. County Road 1100 S.
Huntingburg, Indiana
Pike County

Your NPDES permit Notice of Intent letter received on July 15, 2014, requesting modification of the above-referenced general permit coverage, has been reviewed. The letter requests the following changes:

The following existing outfalls are to be **removed from coverage**:

Outfall 018 (latitude 38°, 16', 05", longitude -87°, 05', 03") and **Outfall 024** (latitude 38°, 16', 56", longitude -87°, 05', 50"), both discharging to unnamed tributaries to Rock Creek; and

Outfall 021 (latitude 38°, 15', 49", longitude -87°, 05', 12"), **Outfall 033** (latitude 38°, 16', 05", longitude -87°, 05', 31"), and **Outfall 035** (latitude 38°, 15', 56", longitude -87°, 05', 28"), all discharging to unnamed tributaries of Cup Creek.

The request has been processed in accordance with Section 402 and 405 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), and IDEM's permitting authority under IC 13-15. We have been in contact with representatives of the IDNR in Jasonville, Indiana who have confirmed that these outfalls were never built. This being the case our office also concurs that they may be dropped from coverage. Coverage for the facility will now include all outfalls listed on the first table of Attachment 1 to this correspondence.

The NPDES general permit identification number assigned to this facility in the previous approval will continue to apply, as will all other testing and reporting that are required under 327 IAC 15-7 using the forms that were sent to you previously. Should you need additional copies of this form it is also available on the internet at the following web site:

<http://www.in.gov/idem/5104.htm>



Mr. Robert Childress Jr.
Page 2

327 IAC 15-7 is also available on the internet at the following website:

<http://www.in.gov/idem/4087.htm>

Additionally, you will continue to receive the computer generated preprinted federal NPDES DMR forms. Both the state and federal forms need to be completed and submitted on a routine basis. If you do not receive the preprinted DMR forms in a timely manner, please call this office at (317) 232-8670.

These modifications shall be deemed effective on **September 1, 2014**, unless a person aggrieved or adversely affected by the acceptance appeals this decision. Coverage under 327 IAC 15-7 for all remaining outfalls remains effective, and will expire on **July 31, 2015**. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as required by the Indiana Department of Environmental Management no later than ninety (90) days prior to the date of expiration.

Please note that any person who is adversely affected or aggrieved by approval under the cited NPDES general permit rule may, within eighteen (18) days from the mailing date of this notification, appeal this acceptance by filing a written petition for administrative review with the Office of Environmental Adjudication, in accordance with IC 4-21.5-3-7. This petition constitutes a request for an adjudicatory hearing. The procedure for appeal is outlined in more detail on the attached page.

The Office of Environmental Adjudication will provide parties who request review of this approval with notice of prehearing conferences, preliminary hearings, hearing, and stays or orders disposing of all proceedings. Nonparties may receive such notices without intervening and formally becoming parties in the proceeding by requesting copies of such notices from the Office of Environmental Adjudication.

If you have any questions regarding this letter, please contact Ms. Sheri L. Jordan of our office at (317) 232-8703.

Sincerely,



Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

Slj/
Attachment
cc: Pike County Health Department

ATTACHMENT 1

Sun Energy Group LLC- Hilsmeier #2 Mine

NPDES PERMIT NO. ING040250

EFFECTIVE DATE: September 1, 2014

IDNR PERMIT NO. S-0367

OUTFALLS PERMITTED FOR THIS FACILITY

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
004	SP-4	38°, 16', 10"	-87°, 05', 29"	Undetermined	Unnamed Tributary of Cup Creek
005	SP-5	38°, 16', 12"	-87°, 05', 41"	Undetermined	Unnamed Tributary of Cup Creek
007	SP-7	38°, 16', 56"	-87°, 05', 36"	Undetermined	Unnamed Tributary of Rock Creek
008	SP-8	38°, 16', 47"	-87°, 05', 48"	Alkaline	Unnamed Tributary of Cup Creek
009	SP-9	38°, 16', 42"	-87°, 05', 40"	Alkaline	Unnamed Tributary of Cup Creek
010	SP-10	38°, 16', 30"	-87°, 05', 26"	Alkaline	Unnamed Tributary of Rock Creek
011	SP-11	38°, 16', 26"	-87°, 05', 40"	Alkaline	Unnamed Tributary of Cup Creek
012	SP-12	38°, 16', 38"	-87°, 05', 26"	Alkaline	Unnamed Tributary of Rock Creek
013	SP-13	38°, 16', 13"	-87°, 05', 24"	Alkaline	Unnamed Tributary of Cup Creek
014	SP-14	38°, 17', 21"	-87°, 05', 39"	Alkaline	Unnamed Tributary of Rock Creek
015	SP-15	38°, 16', 40"	-87°, 05', 59"	Alkaline	Unnamed Tributary of Cup Creek
016	SP-16	38°, 17', 31"	-87°, 05', 28"	Alkaline	Unnamed Tributary of Rock Creek
017	SP-17	38°, 17', 32"	-87°, 05', 40"	Alkaline	Unnamed Tributary of Cup Creek
019	SP-19	38°, 15', 58"	-87°, 05', 13"	Alkaline	Unnamed Tributary of Cup Creek
020	SP-20	38°, 15', 53"	-87°, 04', 57"	Alkaline	Unnamed Tributary of Sugar Creek
025	SP-25	38°, 17', 29"	-87°, 05', 46"	Alkaline	Unnamed Tributary of Cup Creek
026	SP-26	38°, 17', 28"	-87°, 05', 47"	Alkaline	Unnamed Tributary of Cup Creek

027	SP-27	38°, 16', 07"	-87°, 05', 12"	Alkaline	Unnamed Tributary of Cup Creek
028	SP-28	38°, 15', 43"	-87°, 05', 26"	Alkaline	Unnamed Tributary of Cup Creek
029	SP-29	38°, 15', 52"	-87°, 05', 15"	Alkaline	Unnamed Tributary of Cup Creek
030	SP-30	38°, 15', 53"	-87°, 05', 14"	Alkaline	Unnamed Tributary of Cup Creek
031	SP-31	38°, 15', 38"	-87°, 05', 02"	Alkaline	Unnamed Tributary of Cup Creek
032	SP-32	38°, 15', 37"	-87°, 04', 59"	Alkaline	Unnamed Tributary of Cup Creek
034	SP-34	38°, 16', 10"	-87°, 05', 40"	Alkaline	Unnamed Tributary of Cup Creek

The following outfalls have been removed and are no longer covered under this permit:

001	SP-1	38°, 17', 07"	-87°, 05', 31"	Undetermined	Unnamed Tributary of Rock Creek
002	SP-2	38°, 16', 45"	-87°, 05', 31"	Undetermined	Unnamed Tributary of Rock Creek
003	SP-3	38°, 16', 33"	-87°, 05', 21"	Undetermined	Unnamed Tributary of Rock Creek
006	SP-6	38°, 16', 36"	-87°, 05', 52"	Undetermined	Unnamed Tributary of Cup Creek
<u>018</u>	<u>SP-18</u>	<u>38°, 16', 05"</u>	<u>-87°, 05', 03"</u>	<u>Never constructed</u>	<u>Unnamed Tributary of Rock Creek</u>
<u>021</u>	<u>SP-21</u>	<u>38°, 15', 49"</u>	<u>-87°, 05', 12"</u>	<u>Never constructed</u>	<u>Unnamed Tributary of Cup Creek</u>
022	SP-22	38°, 15', 37"	-87°, 05', 00"	Never constructed	Unnamed Tributary of Cup Creek
023	SP-23	38°, 15', 37"	-87°, 05', 01"	Never constructed	Unnamed Tributary of Cup Creek
<u>024</u>	<u>SP-24</u>	<u>38°, 16', 56"</u>	<u>-87°, 05', 50"</u>	<u>Never constructed</u>	<u>Unnamed Tributary of Rock Creek</u>
<u>033</u>	<u>SP-33</u>	<u>38°, 16', 05"</u>	<u>-87°, 05', 21"</u>	<u>Never constructed</u>	<u>Unnamed Tributary of Cup Creek</u>
<u>035</u>	<u>SP-35</u>	<u>38°, 15', 56"</u>	<u>-87°, 05', 28"</u>	<u>Never constructed</u>	<u>Unnamed Tributary of Cup Creek</u>

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PUBLIC NOTICE NO. 2014 – 9D -GP

DATE OF NOTICE: September 12, 2014

The Office of Water Quality issues the following **NPDES GENERAL PERMIT**.

MODIFICATION

SUN ENERGY GROUP LLC – HILSMEYER #2 MINE, Permit No. ING040250, PIKE COUNTY, Huntington, IN. This modification is being issued because 5 outfalls are being dropped that previously discharged non- process wastewater to unnamed tributaries to Rock Creek and Cup Creek. The Notice of Intent (NOI) letter submitted complies with the requirements in 327 IAC 15-7, Facilities Engaged in Mining of Coal, Coal Processing and Reclamation Activities. Permit Writer: Sheri Jordan at 317/232-8703.

PROCEDURES TO APPEAL

General Permit documents are available for inspection at IDEM, Office of Water Quality/Permit Section, IGCN, 100 N Senate Ave, Indianapolis, IN, Room 1203, from 9 - 4, Monday-Friday (copies 10¢ per page). The General Permit is also available at the local Health Department. Please tell others you think would be interested in this matter.

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication **within** eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

Timely filing: The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) **within** 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- identify the interest of the person making the request;
- identify any persons represented by the person making the request;
- state specifically the reasons for the request;
- state specifically the issues proposed for consideration at the hearing;
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here:

Phone: 317/232-8591.

Environmental Law Judge
Office of Environmental Adjudication
IGC – North Building- Rm 501
100 N. Senate Avenue
Indianapolis IN 46204

Stay Time frame: If the Petition (s) is filed **within** eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

Hearing Notification: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.



Indiana Department of Environmental Management
NPDES General Permit Notice of Intent (NOI) Letter Submittal Application
327 IAC 15-7 Facilities Engaging in Mining of Coal, Coal Processing and Reclamation Activities

I. PURPOSE OF SUBMITTAL:

Please check one box. Also provide existing permit number and reason for modification if applicable. You may attach additional sheets if they are needed.

NEW	RENEW	MODIFY	EXISTING PERMIT NO.	IF MODIFICATION WHAT IS CHANGING
		X	ING040250	REMOVING OUTFALLS 018, 021, 024, 033 AND 035

II. GENERAL INFORMATION

Complete all boxes in sections a and b for name of company and person who is to receive the permit. Complete boxes in sections c, d, e, f, g, h, and i or fill in N/A for non-applicable as they apply for the facility that the permit is to apply to.

a. APPLICANT NAME (TO THE ATTENTION OF)			e. FACILITY SIC CODE		f. FACILITY COUNTY		g. DNR PERMIT OR AML SITE NUMBER	
ROBERT E. CHILDRESS, JR.			1221		PIKE		S-367	
b. APPLICANT'S COMPANY AND COMPLETE MAILING ADDRESS			h. LATITUDE AND LONGITUDE OF APPROXIMATE FACILITY CENTER					
COMPANY NAME			Latitude			Longitude		
SUN ENERGY GROUP, LLC								
STREET ADDRESS			degree	minute	second	degree	minute	second
2701 WEST 1100 SOUTH			38	16	45	-87	05	40
CITY								
HUNTINGBURG								
STATE								
IN								
ZIP CODE								
47542								
c. FACILITY NAME			i. FACILITY TOWNSHIP, RANGE, SECTION, QUARTER SECTION					
SUN ENERGY GROUP, LLC - HILSMAYER MINE # 2			Township		Range		Section	
			3S		6W		5	
							Quartersection	
							SW ¼ NE ¼	
d. FACILITY MAILING ADDRESS			j. FACILITY PHYSICAL LOCATION IF DIFFERENT FROM IId					
STREET ADDRESS			STREET ADDRESS					
2701 WEST 1100 SOUTH			OLD STATE ROAD 64					
CITY			CITY			STATE		
HUNTINGBURG			HOLLAND			IN		
STATE			STATE			ZIP CODE		
IN			IN			47541		
ZIP CODE			ZIP CODE			ZIP CODE		
47542			47541			47541		

III. CONTACT INFORMATION AUTHORIZED SIGNATORY

This section applies to the responsible corporate officer and/or alternate person who is authorized in writing by the responsible corporate officer to carry signatory responsibilities for the facility under 327 IAC 15-4-3 (g). Please complete all boxes or mark N/A for non-applicable. If the signatory is not a corporate officer please also submit the letter from the responsible corporate officer granting him/her this authority.

a. APPLICANT SIGNATORY CONTACT PERSON AND TITLE		d. ALTERNATE PERSON TO ANSWER QUESTIONS	
ROBERT E CHILDRESS, JR.- Managing Member		ROY THOMAS ALLINDER	
b. APPLICANT SIGNATORY CONTACT PERSON TELEPHONE		e. ALTERNATE PERSON'S TELEPHONE	
(812) 683-1178		(270) 454-1075	
c. APPLICANT EMAIL ADDRESS		f. ALTERNATE PERSON'S EMAIL ADDRESS	
sunenergy@fullnet.com		tallinderseg@fullnet.com	

IV. CONTACT INFORMATION OTHER:			
DISCHARGE MONITORING REPORTS CONTACT AND MAILING INFORMATION		c. <u>CONTACT AND COMPANY NAME</u> Roy Thomas Allinder Sun Energy Group, LLC	
a. <u>CONTACT TELEPHONE NUMBER</u> (812) 683-1178		d. <u>STREET ADDRESS</u> 2701 West 1100 South	
b. <u>CONTACT EMAIL ADDRESS</u> tallinderseg@fullnet.com		e. <u>CITY</u> Huntingburg	f. <u>STATE</u> IN
ANNUAL FEE AND FINANCIAL CONTACT AND BILLING ADDRESS		g. <u>ZIP CODE</u> 47542	
		j. <u>COMPANY AND CONTACT PERSON NAME</u> Cheryl Childress Sun Energy Group, LLC	
h. <u>CONTACT TELEPHONE NUMBER</u> (812) 683-1178		k. <u>STREET ADDRESS</u> 2701 West 1100 South	
i. <u>CONTACT EMAIL ADDRESS</u> sunenergy@fullnet.com		l. <u>CITY</u> Huntingburg	m. <u>STATE</u> IN
OTHER CONTACT AND MAILING INFORMATION (SPECIFY BELOW)		n. <u>ZIP CODE</u> 47542	
N/A		q. <u>COMPANY AND CONTACT PERSON NAME</u> N/A	
o. <u>CONTACT TELEPHONE NUMBER</u>		r. <u>STREET ADDRESS</u>	
p. <u>CONTACT EMAIL ADDRESS</u>		s. <u>CITY</u>	t. <u>STATE</u>
		u. <u>ZIP CODE</u>	

V. RULE QUALIFICATION:
<p>The purpose of this rule is to regulate wastewater discharges from surface mining, underground mining, and reclamation projects which utilize sedimentation basin treatment for pit dewatering and surface run-off and to require best management practices for storm water run-off.</p> <p>Does this facility meet these requirements? (please check one) YES <u>X</u> NO _____</p> <p>Please provide a brief description of the facility operation that results in the discharge. You may attach additional sheets.</p> <p>Surface water runoff from surface mine is influent into basins. Water treatment as may be needed before discharge.</p>

VI. OUTFALL INFORMATION: Please fill out the following information FOR ALL OUTFALLS

a. IDEM OUTFALL NO.	b. DNR BASIN NO	c. LATITUDE			d. LONGITUDE			e. DRY WEATHER BASE FLOW	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER OR if g is YES name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
001	SP-1	38	17	07	-87	05	31	0	Deleted	Y / <input type="checkbox"/>	Unnamed Tributary to Rock Creek
002	SP-2	38	16	45	-87	05	31	0	Deleted	Y / <input type="checkbox"/>	Unnamed Tributary to Rock Creek
003	SP-3	38	16	33	87	05	21	0	Deleted	Y / <input type="checkbox"/>	Unnamed Tributary to Rock Creek
004	SP-4	38	16	10	-87	05	29	0	Undetermined	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
005	SP-5	38	16	12	-87	05	41	0	Undetermined	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
006	SP-6	38	16	36	-87	05	52	0	Deleted	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
007	SP-7	38	16	56	-87	05	36	0	Active/ Undetermined	Y / <input type="checkbox"/>	Unnamed Tributary to Rock Creek
008	SP-8	38	16	47	-87	05	48	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
009	SP-9	38	16	42	-87	05	40	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
010	SP-10	38	16	30	-87	05	26	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Rock Creek
011	SP-11	38	16	26	-87	05	40	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
012	SP-12	38	16	38	-87	05	26	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Rock Creek
013	SP-13	38	16	13	-87	05	24	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
014	SP-14	38	17	21	-87	05	39	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Rock Creek
015	SP-15	38	16	40	-87	05	59	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
016	SP-16	38	17	31	-87	05	28	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Rock Creek
017	SP-17	38	17	32	-87	05	40	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
018	SP-18	38	16	05	-87	05	03	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Rock Creek
019	SP-19	38	15	58	-87	05	13	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
020	SP-20	38	15	53	-87	04	57	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Sugar Creek
021	SP-21	38	15	49	-87	05	12	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
022	SP-22	38	15	37	-87	05	00	0	Deleted	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
023	SP-23	38	15	37	-87	05	01	0	Deleted	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
024	SP-24	38	16	56	-87	05	50	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Rock Creek
025	SP-25	38	17	29	-87	05	46	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
026	SP-26	38	17	28	-87	05	47	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
027	SP-27	38	16	07	-87	05	12	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
028	SP-28	38	15	43	-87	05	26	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
029	SP-29	38	15	52	-87	05	15	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
030	SP-30	38	15	53	-87	05	14	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
031	SP-31	38	15	38	-87	05	02	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
032	SP-32	38	15	37	-87	04	59	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
033	SP-33	38	16	05	-87	05	21	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
034	SP-34	38	16	10	-87	05	40	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek
035	SP-35	38	15	56	-87	05	28	0	Alkaline	Y / <input type="checkbox"/>	Unnamed Tributary to Cup Creek

VII. OUTFALL INFORMATION FOR MODIFICATIONS: Please provide the following if this is a request to ADD, DELETE, or CHANGE MINE DRAINAGE STATUS of one or more outfalls:

a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. DEL, ADD, or CHANGE	d. DATE OF CHANGE	e. REASON FOR THE CHANGE: EXPLAIN IN DETAIL AND ATTACH CONFIRMING DOCUMENTATION IN THE FORM OF INSPECTORS REPORTS, LAB DATA, ETC.
018	SP-18	DEL	9/01/2014	Sediment Pond SP-18 will never be constructed.
021	SP-21	DEL	9/01/2014	Sediment Pond SP-21 will never be constructed.
024	SP-24	DEL	9/01/2014	Sediment Pond SP-24 will never be constructed.
033	SP-33	DEL	9/01/2014	Sediment Pond SP-33 will never be constructed.
035	SP-35	DEL	9/01/2014	Sediment Pond SP-35 will never be constructed.

VIII. TOPOGRAPHICAL MAP

A topographical map must be submitted with this application. The map must include the following items:

- (A) the location of the coal mining operation, including contiguous facility property lines, shown clearly and identified by name and by mark;
- (B) the location of each numbered outfall shown clearly and identified by number and by mark;
- (C) the receiving streams and tributaries to them that each outfall discharges to shown clearly and identified by name;
- (D) any existing permanent structures or roads in the area shown clearly and identified by name.

See Attachment Portion of the Velpen USGS Topographic Quadrangle

IX. PROOF OF PUBLICATION

It is required that a public notice statement be published in a newspaper of largest circulation in the area where the discharge(s) will be occurring. This publication must be in the newspaper for a minimum of one day and must include the following language: (your facility name, address, address of the location of the discharging facility, and the streams receiving the discharge(s)) "is submitting a Notice of Intent letter to notify the Indiana Department of Environmental Management of our intent to comply with the requirement under 327 IAC 15-7 to discharge wastewater associated with the mining of coal, coal processing and /or reclamation activities. Any person aggrieved by this action may appeal in writing to the Environmental Law Judge of the Office of Environmental Adjudication for an adjudicatory hearing on the question of whether this facility should operate under this NPDES general permit rule. An appeal must be postmarked no later than fifteen (15) days from the date of this public notice. Such a written request for an adjudicatory hearing must:

- (A) state the name and address of the person making the request;
- (B) identify the interest of the person making the request;
- (C) identify any persons represented by the person making the request;
- (D) state with particularity the reasons for the request;
- (E) state with particularity the issues proposed for consideration at the hearing; and
- (F) state with particularity the reasons why the NPDES general permit rule should not be available to the discharger identified in this notice.

Any such request shall be mailed or delivered to:
 Office of Environmental Adjudication
 Indiana Government Center – North
 100 North Senate Avenue, Room N501
 Indianapolis, Indiana 46204"

Publication of the newspaper notice is not requires for modifications.

X. POTENTIALLY AFFECTED PERSONS FORM

Pursuant to IC 4-21.5 it is required that a Potentially Affected Person form be completed and submitted with this application. The form and instructions are attached.

No additional persons are potentially affected by the proposed modifications. All potentially affected persons were included in original permit NOI application.

XI. REQUIRED FEES:

A \$50 application fee is required to be submitted with applications for new permits, permit modifications, and permit renewals in accordance with IC 13-18-20-12. In addition the \$500 annual fee is required to be submitted for NEW APPLICATIONS at the time of submitting the application.

Please list amount submitted \$ 50.00, attach to and submit with application. Checks or money orders shall be made payable to IDEM.

XII. NOTIFICATION OF INDIANA DEPARTMENT OF NATURAL RESOURCES

It is required in all circumstances that a copy of this application is sent to the Indiana Department of Natural Resources (IDNR) Division of Reclamation in Jasonville, Indiana.

A copy of this application was sent to Eric Langer with IDNR - DOR on 7/11/2014

XIII. CERTIFICATION STATEMENT

It is required by 327 IAC 15-4-3(g)(3) that the following statement shall be included in the application. The authorized signatory representative (as defined by 327 IAC 15-5-3(g)(2) and identified in item IIIa above) makes the following certification by signing and dating this section of the application below:

"I certify under penalty of law that this document and all its attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Robert E. Childress, Jr.
Managing Member

Name and official title (type or print)

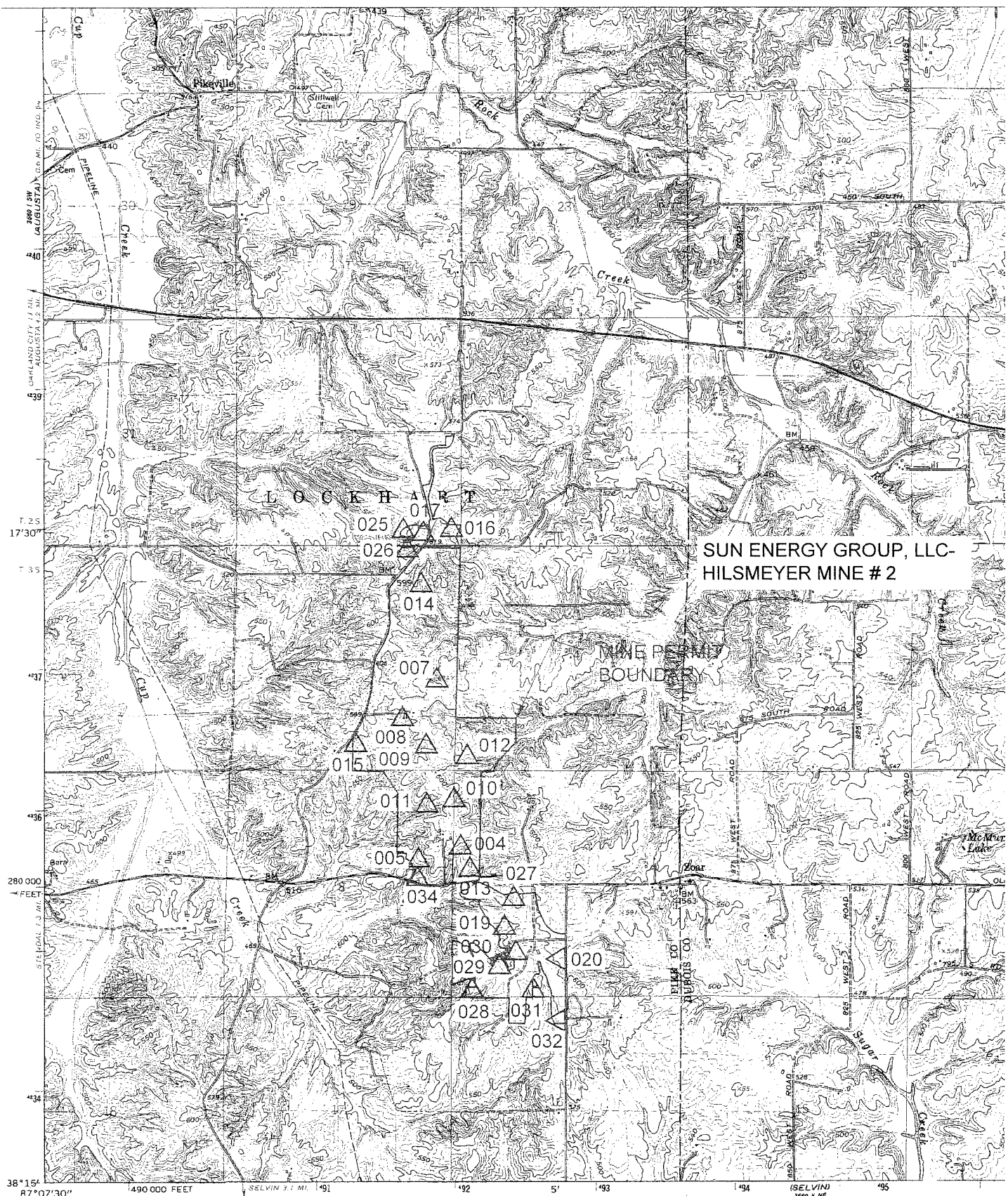
(812) 683-1178
Area Code and phone No.


Signature

7/10/2014
Date signed

Submit completed form and attachments to the following address:

Indiana Department of Environmental Management
Office of Water Quality - Mail Code 65-42
NPDES Permits Section
100 North Senate Avenue
Indianapolis, Indiana 46204-2251



SUN ENERGY GROUP, LLC-
HILSMEYER MINE #2

MINE PERMIT
BOUNDARY

Mapped, edited, and published by the Geological Survey
Control by USGS, USC&GS, and Indiana Flood Control and
Water Resources Commission

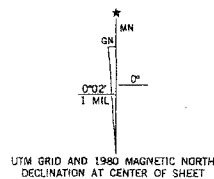
Topography by photogrammetric methods from aerial
photographs taken 1958. Field checked 1961

Polyconic projection
10,000-foot grid based on Indiana coordinate system, west zone
1000-meter Universal Transverse Mercator grid ticks,
zone 16, shown in blue. 1927 North American Datum

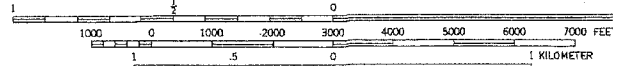
To place on the predicted North American Datum 1983
move the projection lines 3 meters south and
1 meter east as shown by dashed corner ticks

Fine red dashed lines indicate selected fence and field lines where
generally visible on aerial photographs. This information is unchecked

There may be private inholdings within the boundaries of
the National or State reservations shown on this map



SCALE 1:24,000



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, RESTON, VIRGINIA 22092
AND INDIANA DEPARTMENT OF NATURAL RESOURCES, INDIANAPOLIS, INDIANA 462
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST